



United States Attorney
District of Maryland
Northern Division

Thomas M. DiBiagio
United States Attorney

Nadira Clarke
Assistant United States Attorney

6625 United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201-2692

410-209-4800

TTY/TDD: 410-962-4462

410-209-4857

FAX 410-962-2310

Nadira.Clarke@usdoj.gov

September 24, 2002

Jonathan S. Nash
Piper Rudnick
6225 Smith Ave.
Baltimore, MD 21209-3600

Re: Jeanette Mellerson v. Barnhardt,
Civ. Action No. L-01-2090

Dear Mr. Nash:

This letter responds to your letter dated September 20, 2002 in which you served additional notices of deposition. As you are aware, Fed. R. Civ. P. 30 requires leave of court for notice of more than ten depositions. At this point you have noticed nineteen (19) depositions, including one 30(b) (6) deposition, and you have indicated that there may be more to come. This is a relatively small case with defined issues for discovery. Nineteen depositions strikes me as excessive. Please withdraw nine of your deposition notices, or alternatively, seek the appropriate permission from the Court.

Meanwhile, I am in the process of contacting the witness/Social Security Administration ("SSA") employees listed in your notices of deposition regarding mutually convenient dates. I will finalize such dates and advise you of any retired/departed employees shortly. Finally, I would like to notice plaintiff's deposition on Friday, October 25, 2002. Please let me know if she is available on that date, and if so, what time. Thank you.

Very truly yours,

Thomas M. DiBiagio
United States Attorney

By:


Nadira Clarke
Assistant United States Attorney

cc: Carolyn P. Weiss

RECEIVED SEP 27 2002